

# CITY COUNCIL MEETING

Remote Meeting Via Zoom Conference Call

To register in advance for this meeting, click on the link below or copy and paste it into your web browser:

[https://zoom.us/webinar/register/WN\\_eupF\\_8yZQtSOX3hiiO5njA](https://zoom.us/webinar/register/WN_eupF_8yZQtSOX3hiiO5njA)

You are required to register in advance to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. Please note, this meeting will also be broadcast on the City's YouTube Channel. Public comments for the Council's consideration can be emailed in advance via the City's web site: <https://www.cityofportsmouth.com/citycouncil/contact-all-city-councilors>.

Per NH RSA 91-A:2 III (b) the Chair has declared COVID-19 Outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2020-24, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.

**DATE: MONDAY, DECEMBER 21, 2020**

**TIME: 7:00PM**

**6:00PM – ANTICIPATED NON-PUBLIC SESSION RE: DISCUSSION OF PENDING LITIGATION – RSA 91-A:3 II (e)** [https://zoom.us/webinar/register/WN\\_gsFqaDUfRyGFgBasXT1Mqw](https://zoom.us/webinar/register/WN_gsFqaDUfRyGFgBasXT1Mqw)

**7:00PM – PORTSMOUTH HIGH SCHOOL HOLIDAY MUSIC PERFORMANCE**

## AGENDA

- I. **WORK SESSION – THERE IS NO WORK SESSION THIS EVENING**
- II. **PUBLIC DIALOGUE SESSION [when applicable – every other regularly scheduled meeting] - POSTPONED**
- III. **CALL TO ORDER [7:00 p.m. or thereafter]**
- IV. **ROLL CALL**
- V. **INVOCATION – Jeff Pelkey, Fire and Police Chaplain**
- VI. **PLEDGE OF ALLEGIANCE**
- VII. **ACCEPTANCE OF MINUTES – MAY 18, 2020 & JUNE 1, 2020**
- VIII. **RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS**
- IX. **PUBLIC COMMENT SESSION – (Via Zoom)**
- X. **PUBLIC DIALOGUE SUMMARY [when applicable] - POSTPONED**
- XI. **PUBLIC HEARINGS AND VOTES ON ORDINANCES AND/OR RESOLUTIONS**
  - A. **Public Hearing/Second Reading of Ordinance amending Chapter 10, Article 6 – Overlay Districts – Flood Plain Overlay District Zoning Maps**
    - **PRESENTATION**
    - **CITY COUNCIL QUESTIONS**
    - **PUBLIC HEARING SPEAKERS**
    - **ADDITIONAL COUNCILOR QUESTIONS AND DELIBERATIONS**

- B. Third and Final Reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Chase Drive: northerly side, from Michael Succi Drive to a point 30 feet ~~on either side~~ west of the driveway located at 355 Chase Drive
- C. Third and Final Reading of Ordinance amending Chapter 3, Article IX – Distribution of Single-Use Disposables on City Property – Effective Date: This Ordinance shall take effect on December 31, 2022
- D. Third and Final Reading of Ordinance amending Chapter 3, Article X – Distribution of Single-Use Disposables – Citywide – Effective Date: This Ordinance shall take effect on December 31, 2022
- E. Third and Final Reading of Ordinance amending Chapter 3, Article XI – Face Coverings – Effective Date: This ordinance shall take effect immediately and shall terminate on vote of the City Council to that effect
- F. Third and Final Reading of Ordinance amending Chapter 11, Article II – Sewers, Section 11.203 and Section 11.204 – Waiver from Connection to Public Sewer

## **XII. MAYOR BECKSTED**

- 1. \*Appointments to be Voted
  - Appointment of David MacDonald as a regular member to the Zoning Board of Adjustment
  - Appointment of Corey Clark as a regular member of the Planning Board
  - Appointment of Peter Harris as a regular member to the Planning Board
  - Appointment of Rick Chellman as a regular member to the Planning Board
- 2. \*Reopen Portsmouth 2021 Blue Ribbon Committee City Council Representative
- 3. Ordinance Chapter 1 Section 1.310 requires that, “When making appointments to the Board of Adjustment the Council shall consider as candidate the alternates to the Board as well as other nominations by the Mayor”. For the reason the Council should be aware that Mr. Chase Hagaman is a current member of the Board who has submitted his name for consideration by the Council. The person nominated by the Mayor is David MacDonald

## **XIII. CITY COUNCIL MEMBERS**

### **A. ASSISTANT MAYOR SPLAINE**

- 1. \*Recognition of the People and History of Portsmouth’s North End

### **B. COUNCILOR KENNEDY**

- 1. \*Toyota of Portsmouth (***Sample motion – move to give Toyota of Portsmouth (Jim Boyle) back his land per court agreement***)

#### XIV. APPROVAL OF GRANTS/DONATIONS

- A. \*Acceptance of Donation from Samuel Winebaum for Vaughan Mall Lighting - \$5,000.00  
***(Sample motion – move to approve and accept the donation from Samuel Winebaum for Vaughan Mall Lighting - \$5,000.00)***

#### XV. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

##### A. CITY MANAGER CONARD

##### City Manager's Items Which Require Action:

1. \*Request for Work Session regarding Peirce Island
2. Request to Name Private Subdivision Road Located off Banfield Road
3. Request to Name New Public Street Located Between Cate Street & Route 1 Bypass
4. 46 Maplewood Avenue – Temporary Construction License

#### XVI. CONSENT AGENDA

- A. Letter from Linda Carter, Big Brothers Big Sisters of New Hampshire, requesting permission to close Pleasant Street on Saturday, September 25, 2021 from 1:00 p.m. – 4:00 p.m. and hold the 12<sup>th</sup> Annual Stiletto Sprint ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- B. Letter from Nick Diana, New Castle 10K, requesting permission to hold the 3d Annual New Castle 10K Road Race from 9:30 a.m. – 11:30 a.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- C. Banfield Woods Development Conservation Easement and Water Access Easement ***(Anticipated action -move to grant authority for the City Manager to accept and execute the water access easement and conservation easement deed and plans on behalf of the City in a form similar to those attached)***
- D. Request for License to Install a Projecting Sign for Owner Larry Booz for The Mercantile Portsmouth for property located at 10 Ladd Street ***(Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request)***

##### Planning Director's Stipulations:

- *The license shall be approved by the Legal Department as to content and form;*
- *Any removal or relocation of projecting sign, for any reason, shall be done at no cost to the City; and*
- *Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works*

**XVII. PRESENTATIONS & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. \*Presentation by Health Officer Kim McNamara regarding COVID-19 Update
- B. \*Presentation by Portsmouth Citizens Response Task Force
- C. Email Correspondence (*Sample motion – move to accept and place on file*)

**XVIII. CITY MANAGER’S INFORMATIONAL ITEMS**

- 1. Report Back on Various Items as Requested by Councilor Kennedy and Huda at the December 7<sup>th</sup> City Council meeting
- 2. Letter from Superintendent Zadravec Regarding Single Use Disposables

**XIX. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING**

**XX. ADJOURNMENT [at 10:00 p.m. or earlier]**

**KELLI L. BARNABY, MMC/CNHMC  
CITY CLERK**

*\* Indicates verbal report*



Karen S. Conard  
City Manager

## CITY OF PORTSMOUTH

City Hall, One Junkins Avenue  
Portsmouth, New Hampshire 03801  
kconard@cityofportsmouth.com  
(603) 610-7201

**Date:** December 18, 2020  
**To:** Honorable Mayor Rick Becksted and City Council Members  
**From:** Karen S. Conard, City Manager *KSC*  
**Re:** City Manager's Comments on City Council Agenda of December 21, 2020

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### ***XI. Public Hearings and Votes on Ordinances and/or Resolutions:***

#### **A. Public Hearing and Second Reading of Ordinance Amending Chapter 10, Article 6 – Overlay Districts – Floodplain Overlay District Zoning Maps:**

In July 2020, FEMA issued a [Letter of Final Determination \(LFD\)](#) notifying the City that the preliminary coastal Rockingham County Flood Insurance Rate Maps (FIRMs) and Flood Insurance Study (FIS) report that were originally issued in 2014 had been finalized. The FIRMs and FIS report will become effective on January 29, 2021.

Following that letter, the staff at the NH State Floodplain Management Program reached out to the City with additional guidance on the process for final adoption of the FIRMs and FIS ([see attached email from Jennifer Gilbert dated September 25, 2020](#)). Although the City had already amended the City's Floodplain Overlay District zoning in 2019 with input from the state's floodplain office, the staff at the state office (with guidance from FEMA) have identified additional minor amendments that are required.

These amendments will apply to properties located in the Floodplain District and are required by FEMA to keep the City in compliance with the National Flood Insurance Program (NFIP). The NFIP requires that the City maintain an up-to-date floodplain ordinance to ensure that federal flood insurance policy holders are covered in the event of a flood.

The Planning Board reviewed the amendments at a work session in October and held a public hearing on the Zoning Amendments on November 19, 2020. All property owners with properties in the flood plain overlay district were notified by mail of the upcoming meetings on these amendments ([see attached notice](#)). At the November meeting, the Planning Board voted unanimously to recommend approval of the amendments to the City Council.

The proposed Zoning Ordinance amendments required by FEMA are summarized below and attached. The City’s entire Zoning Ordinance can be viewed online at [www.cityofportsmouth.com/planportsmouth/land-use-and-zoning-regulations#zoning](http://www.cityofportsmouth.com/planportsmouth/land-use-and-zoning-regulations#zoning). Refer to Section 10.620 Floodplain District.

- In Section 10.613.10 (a), update the study and map reference dates by deleting May 17, 2005 and adding January 29, 2021.
- In Section 10.622.20 – “Terms Defined for the Flood Plain District”, delete the current definition of New Construction and update as follows:

*New construction*

*A structure for which the start of construction commenced on or after the effective date of this flood plain management regulation and includes any subsequent improvements to such structure.*

- In Section 10.628 – Construction Standards in Special Flood Hazard Areas, amend paragraph 10.628.10 as follows by adding the text shown in italics below:

*10.628.10 In Zones A and AE, any new construction or substantial improvement shall be reasonably safe from flooding...*

As noted in the email from Jennifer Gilbert, these amendments will need to be adopted by Council and submitted to the state office for confirmation by January 15, 2021. This means that the Council will need to complete the three required readings before that time. The anticipated schedule is as follows:

- November 16 – request to City Council to schedule first reading
- November 19 – Planning Board public hearing and vote to recommend to Council
- December 7 – City Council first reading
- December 21 – City Council second reading and public hearing; potential to continue the public hearing
- January 11, 2021 – City Council third and final reading

*I recommend that the City Council move to pass second reading on the proposed amendments to the Floodplain Overlay District, and to schedule a third and final reading at the January 11, 2021 City Council meeting.*

**B. Third and Final Reading of Ordinance Amending Chapter 7, Article III, Section 7.330 – No Parking by the addition of Chase Drive: northerly side, from Michael Succi Drive to a point 30 feet ~~on either side~~ west of the driveway located at 355 Chase Drive:**

Attached is the diagram and the proposed amendment to this ordinance.

*I recommend that the City Council move to adopt the third and final reading.*

C. **Third and Final Reading of Ordinance Amending Chapter 3, Article IX – Distribution of Single-Use Disposables on City Property – Effective Date: This Ordinance shall take effect on December 31, 2022:**

Currently, on December 31, 2020, there are two City ordinances that would become effective to regulate the distribution single use plastic disposable items such as Styrofoam cups. This first ordinance would apply to property owned by the City. The second would apply citywide. This ordinance, if passed at third reading, would have the effect of delaying the effective date of the regulation of single use disposable on City property, until December 31, 2022.

D. **Third and Final Reading of Ordinance Amending Chapter 3, Article X – Distribution of Single-Use Disposables – Citywide – Effective Date: This Ordinance shall take effect on December 31, 2022:**

Currently, on December 31, 2020, there are two City ordinances that would become effective to regulate the distribution single use plastic disposable items such as Styrofoam cups. This second ordinance would apply citywide. This ordinance, if passed at third reading, would have the effect of delaying the effective date of the regulation of single use disposables Citywide, until December 31, 2022.

E. **Third and Final Reading of Ordinance Amending Chapter 3, Article XI – Face Coverings – Effective Date: This ordinance shall take effect immediately and shall terminate on June 30, 2021:**

At the City Council meeting of November 16, 2020, the Council passed first reading of an ordinance amendment proposed by Councilor Lazenby which would have the effect of extending the term of the [City's Mask Ordinance](#) from January 4, 2021 until such time as the City Council votes to terminate it. At the December 7<sup>th</sup> public hearing and second reading, this term was further refined to reflect an expiration date of June 30, 2021.

Governor Sununu's statewide mask mandate is set to expire on February 5, 2021.

*I recommend that the City Council move to adopt the third and final reading of this ordinance amendment.*

F. **Third and Final Reading of Ordinance Amending Chapter 11, Article II – Sewers, Section 11.203 and Section 11.204 – Waiver from Connection to Public Sewer:**

At its meeting of December 14, 2020, the City Council passed second reading and scheduled a third and final reading of a [proposed change to the Sewer Ordinance at Chapter 11, Article II, Section 11.204](#) to allow property owners to apply for a waiver from connection to the public sewer.

The proposed ordinance amendment (which includes the newly added sentence dealing with winter conditions voted on at the December 14, 2020 meeting) is [attached](#).

*I recommend that the City Council move to adopt the third and final reading.*

#### ***XIV. Approval of Grants/Donations:***

##### **A. Acceptance of Donation from Samuel Winebaum for Vaughan Mall Lighting - \$5,000.00:**

Please find attached a [letter from Samuel Winebaum](#) requesting the City Council's consideration and acceptance of a \$5,000 donation to the City, to be utilized for lighting elements at Vaughan Mall.

*I recommend that the City Council move to accept the donation from Samuel Winebaum for Vaughan Mall lighting in the amount of \$5,000.*

#### ***XV. City Manager's Action Items:***

##### **1. Request for Work Session Regarding Peirce Island:**

In response to Councilor Kennedy's request at the November 16<sup>th</sup> Council meeting, I would request a Peirce Island work session with the City Council and Peirce Island Committee be established on February 8, 2021 at 6:00 p.m. Topics covered during the work session will include the sewer treatment plant, public art, dog park, Peirce Island bridge, and vegetation clean-up.

*I recommend that the City Council move to establish a Peirce Island work session on February 8, 2021 at 6:00 p.m.*

##### **2. Request to Name Private Subdivision Road Located Off Banfield Road:**

At the October 19, 2020 Council meeting, the Council [reviewed a request from the developers of the Village at Banfield Woods open space planned unit development to name a private subdivision road](#). The project which was approved by the Planning Board on September 17, 2020, includes the construction of 22 single-family homes on a private cul-de-sac.

While this is not a public road, the subdivision regulations and City Ordinances reference the Planning Board's role in road naming. While the regulations do not stipulate that this has to be done as a public hearing, it has been the Planning Board's policy to notify abutting properties and to allow for a public hearing prior to approving the name. This process is also consistent with state laws governing the naming of streets. Therefore, the City Council referred this request to the Planning Board.



At the November 19, 2020 meeting after a public hearing, the Planning Board voted to recommend that the City Council approve the renaming of the private road to Walford Lane as requested by the applicant. The name is a historical reference to the fact that the property was once part of the Walford Plantation owned by Thomas Walford in the 1600's as part of a much larger parcel (which also included the Hett Farm property on Peverly Hill Road).

When public roads are requested to be named or renamed, the Planning Board and City Council would typically consult a list of potential road names developed by the City in 2007/2008. When private roads are considered, the naming of the road is typically left up to the applicant, subject to final approval by the Council. The primary purpose for the Council to approve the naming of private roads is to ensure there is no conflict with existing road names in the City that would present a challenge for emergency responders.

*I recommend that the City Council move to approve the request for naming of the new private road to Walford Lane.*

### 3. **Request to Name New Public Street Located Between Cate Street and Route 1 Bypass:**

At the October 5, 2020 meeting, the City Council reviewed a [request from Cate Street Development, LLC, the developers of the West End Yards mixed use project, for the naming of the new public roadway](#) that is being constructed to connect Cate Street to the Route 1 Bypass. At that meeting, the Council voted to refer the request to the Planning Board.

Per the City Ordinances, Article V, Section 11.501 any naming of a public street must go before the Planning Board for a public hearing prior to final vote by the City Council. As part of the public hearing at Planning Board, it has been City policy to notify affected abutters of the proposed street naming.

The City Ordinances also stipulate that “no existing or proposed street name shall duplicate the name or names of other proposed or existing streets irrespective of the use of the suffix, "Street", "Avenue", "Boulevard", "Drive", "Place", "Way", "Court", or the like.”

As part of the consideration of new street names or street name changes, the City maintains a list of potential street names, which can be referenced during the naming process. However, the City is not bound to that list of potential street names and can also consider names proposed by members of the public and property owners.

In addition to the proposed name submitted by the developer – West End Yards Way -- the list of potential street names maintained by the City has been provided below for reference. These were developed by former Planning Director Holden in 2008.

**Possible Alternative Street Names:**

**Former Portsmouth Street Names**

*(these were used and discontinued sometime in the past)*

|              |                 |               |
|--------------|-----------------|---------------|
| Ackerman St  | Graffort's Lane | North Rd      |
| Ark Lane     | Graves End St   | Pitt St       |
| Auburn St    | Joshua St       | Queen St      |
| Buck St      | King St         | Rebellion Rd  |
| Cambridge St | Marginal Way    | River Rd      |
| Cottars Lane | Marlborough St  | Rosemary Lane |
| Cow Lane     | Mason St        | Sifton St     |
| Creek St     | Massy St        | Steton St     |
| Cross St     | Maudlin Lane    | Tombs St      |
| Divinity St  | Mystic St       | White's Rd    |

**Names of Former Mayors**

|           |           |        |
|-----------|-----------|--------|
| Badger    | Goldsmith | Pender |
| Bailey    | Goodrich  | Reding |
| Berry     | Graves    | Rowe   |
| Broughton | Hackett   | Simes  |
| Butler    | Jenness   | Sise   |
| Dale      | Laighton  | Tilton |
| Dexter    | Laskey    | Toppan |
| Eldredge  | Morrison  | Treat  |
| Emery     | Neal      |        |
| Faye      | Page      |        |
| Yeaton    |           |        |

At the November 19, 2020 meeting after a public hearing, the Planning Board voted to recommend that the City Council name the road Hodgson Way, after the brook that parallels the new roadway. Subsequent to that vote, staff learned that the U.S. Board on Geographic Names voted to change the brook's name to Hodgdon Brook at the request of a member of the Hodgdon family for whom the brook was originally named ([email is enclosed for reference](#)). Therefore, staff is recommending that, if the Council accepts the Board's recommendation, the road name should also match the new name for the brook.

*I recommend that the City Council vote to name the new public road extending between Cate Street and the US Route 1 Bypass as Hodgdon Way.*

4. **46 Maplewood Avenue – Temporary Construction License:**

On May 17, 2018, the Planning Board granted site plan review approval to Steve Kelm (30 Maplewood, LLC) for property located at 46-64 Maplewood Avenue to construct a five-story, mixed use building.

The Construction Mitigation and Management Plan (CMMP), signed in August 2018, identified temporary encumbrances of the public right-of-way for project-related work along Bridge Street, Deer Street, and Maplewood Avenue for different periods of time during of the project's construction. Encumbrances for a duration longer than 30 consecutive working days require a license approved by the City Council. In addition, the licenses are subject to the "License Fee for Encumbrance of City Property" policy.

The License Areas are shown on the [plan labeled "License Plan"](#) prepared for 30 Maplewood Ave LLC. License Area 1 is 630 square feet of the sidewalk area along the south side of Deer Street. License Area 2 is 322 square feet of the sidewalk area located at the corner of the intersection of Deer Street and Maplewood Avenue. License Area 3 is 1,140 square feet square feet of the sidewalk area on the west side of Maplewood Avenue. In addition, the encumbrance of the sidewalk required the removal of parking space meters and therefore, the project is also encumbering three metered parking space along Deer Street.

In November 2018, the City Council approved a temporary construction license for the project, which, after subsequent extensions granted by the Council, will expire at the end of December. [Mr. Kelm has submitted another extension request](#) to extend the existing license for 30-days to the end of January.

Per the City policy, the total fee for the temporary license term of 30-days is calculated at \$0.05 per square foot per day for the three sidewalk areas ( $30 \times 0.05 \times 2,092 = \$3,138$ ) and \$35 per day per space for the metered parking spaces ( $30 \times 35 \times 3 = \$3,150$ ). Therefore, the total license fee for the 30-day term is \$6,288. The [proposed license agreement](#) provides that, if any of the license areas are returned to the City prior to the end of the License Term, the City will refund the applicant the portion of the license fee already paid to the City.

All of the foregoing has been reviewed by the Planning and Legal Departments and is recommended for approval.

*I recommend that City Council move that the City Manager be authorized to execute and accept the temporary construction license regarding 46-64 Maplewood Avenue as submitted.*

## ***XVI. Consent Agenda:***

### **C. Banfield Woods Development Conservation Easement and Water Access Easement:**

On August 25, 2020 and September 21, 2020 the Planning Board granted wetland conditional use permit approval and site plan review and subdivision approval for an application for an open space planned unit development on property located off of Banfield Road. The project consists of 22 single family homes on a new private subdivision road.

The conditions of approval include two easements to which the City of Portsmouth is a party and therefore require City Council authorization.

The first condition is to provide a [conservation easement](#) in perpetuity that includes all land located outside of a 100' buffer around the limited common areas of the proposed housing units as shown on the [attached plan](#) as areas labeled "Common Open Space / Conservation Easement Area". The condition of approval required that the easement shall be held by a public body (such as the City) or private non-profit which shall maintain and preserve the land as open space for the benefit of the general public.

After consultation with staff, the developer is proposing a conservation easement that will be held by the City for the benefit of the general public. As part of the requirements for acceptance by the City, a conservation values assessment of the property shall be completed by a qualified wildlife habitat expert at the expense of the developer.

The second condition of approval that requires Council approval is that the applicant provide a [water services access easement](#) to the City for the purpose of maintenance and inspection of private water infrastructure on the property.

All of the foregoing has been approved by the Planning Board and is recommended by the Planning and Legal Departments.

*I recommend that the City Council move to grant authority for the City Manager to accept and execute the water services access easement and conservation easement deed and plans on behalf of the City in a form similar to those attached.*

**D. Projecting Sign License for 10 Ladd Street:**

Permission is being sought to install a projecting sign for the business [The Mercantile Portsmouth located at 10 Ladd Street](#) that extends over the public right of way, as follows:

Sign dimensions: 24" x 24"  
Sign area: 2 sq. ft.

The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed. *Therefore, I recommend approval of a revocable municipal license, subject to the following conditions:*

- 1) The license shall be approved by the Legal Department as to content and form;*
- 2) Any removal or relocation of the sign, for any reason, shall be done at no cost to the City; and*
- 3) Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the signs, for any reason, shall be restored at no*

*cost to the City and shall be subject to review and acceptance by the Department of Public Works.*

## ***XVII. Presentations and Consideration of Written Communications and Petitions:***

### **A. Presentation by Health Officer Kim McNamara Regarding COVID-19 Update:**

City Health Officer, Kim McNamara, will provide a verbal update to City Councilors and the public on COVID-19.

### **B. Presentation by Portsmouth Citizen Response Task Force:**

Citizen Response Task Force Co-Chairs James Petersen and Mark Stebbins will provide an update on the Task Force at this evening's meeting.

## ***XVIII. City Manager's Informational Items:***

### **1. Report Back on Various Items as Requested by Councilors Kennedy and Huda at the December 7<sup>th</sup> City Council Meeting:**

#### **Middle Street Bike Lane Study Status**

Following City staff's review, the City's consultant, Toole Design, is preparing a final report on the Middle Street Bike Lane Study. City staff anticipate a final version of this study to arrive later this month. I will plan to provide a report back on this Study at the next Council meeting on January 11th.

Please find attached a report back on:

- the [Date of the Availability for the Final FY20 Actual Detail](#);
- the [FY21 Capital Outlay](#);
- the [Current Status of Public Art on City Property](#);
- the [Services and/or Project Completed by the Former City Manager, John Bohenko, Over the 12 Month Period Ending December 31<sup>st</sup> per the Agreed Upon Consultant Contract and Verification of Contract End Date](#);
- the [Status of CARES Act Funding](#);
- the [Status of the Boyle Case](#); and
- the [Status of the Sagamore Avenue Sewer Extension Project](#).

As requested, the [contracts of the auditors and all legal contracts or retainers currently on file](#) are also attached.

2. **Letter from Superintendent Zadavec Regarding Single Use Disposables:**

Attached please find a letter from School Superintendent Zadavec regarding single use disposables.